

REMARKS/ARGUMENTS

This response is being filed with an RCE and serves as a response to the final Office Action mailed June 6, 2007 in the above-identified application.

Claims 1, 3 and 5-8 were pending in the final Office Action with claim 1 and 8 being in independent form. By the present Amendment, dependent claim 9 has been added.

Claims 1, 3, 5 and 6-8 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2003/0106647 to Koshiishi et al. (hereinafter "Koshiishi") in view of U.S. Patent No. 6,771,483 to Harada et al. (hereinafter "Harada"). Reconsideration of this rejection is respectfully requested.

As was noted in Applicant's previous response dated March 23, 2007, Koshiishi does not disclose a susceptor device that includes "an inner electrode which is disposed on the second main surface of the ceramic base body," and "an insulating sprayed layer, formed by a sprayed ceramic, which covers the inner electrode, a connecting section of the inner electrode and the electricity supplying terminal," as is required by claim 1 of the present application. The Examiner has argued that the main body 11 of Koshiishi corresponds to the "ceramic base body" of claim 1, and that Koshiishi discloses an inner electrode as well, but makes no indication of which element of Koshiishi corresponds to this feature. The Examiner further argues that paragraph 0031 of Koshiishi discloses an insulating sprayed layer while element 14b of Koshiishi corresponds to a bonding agent layer of claim 1. This is clearly incorrect.

As has been previously described, the main body 11 of Koshiishi supports the wafer (W) on a top surface thereof. First and second dielectric films 14a and 14b are sprayed on the top surface of the body 11 to form an electrostatic chuck that electrostatically chucks the wafer W. The dielectric layers may be made of mixtures of materials that can be changed to alter resistance thereof. When a voltage is applied to the main body 11, the dielectric films are electrostatically charged to provide an attracting force for the wafer W. Thus, in Koshiishi, the dielectric layers 14a and 14b act as the inner electrode of the present invention to provide the electrostatic force to hold the wafer in place. Thus, the dielectric layer 14b is not a bonding agent layer, as was argued by the Examiner. Further, since the dielectric layers 14a and 14b form the electrostatic chuck,

neither of these layers correspond to the “insulating sprayed layer” of claim 1. Further, these dielectric layers 14a, 14b are sprayed directly onto the base 11 of Koshiishi. Thus, even if they were insulating sprayed layers, which they are clearly not, Koshiishi does not disclose any “bonding agent layer” that attaches the insulating sprayed layer to the temperature controlling section, as is also required by claim 1 of the present invention.

In response to these arguments, the Examiner argues that Koshiishi teaches an inner electrode, which is apparently not shown in the reference, so that RF power of DC power may be supplied to it through the lower electrode. The Examiner argues that Fig. 1 of Koshiishi illustrates the power supply 13 located on the bottom of the ceramic base body. The Examiner further states that since the power supply is shown connected to the bottom of the base body, the electrode is located within the vicinity of the connection to the power supply and within the vicinity of the second main surface of the body. The Examiner also argues that paragraph 0030 supports this. The Examiner further argues that Koshiishi teaches an insulating layer 14a formed by spraying and argues that this is supported at paragraph 0031 of Koshiishi. Applicant respectfully disagrees.

While paragraph 0030 of Koshiishi discloses a “lower electrode,” there is no indication in Koshiishi of exactly where this lower electrode is positioned at all, much less that it is “disposed on the second main surface of the ceramic base body,” as is required by claim 1, for example of the present application. The Examiner’s alleges that the power supply 13 is illustrated as connected to the bottom portion of the body 11, and concludes that the electrode must be in the vicinity of the second main surface of the body. This is clearly incorrect.

As an initial matter, the positioning of the power supply under the body 11 does not necessarily mean that it is connected to the body 11 on the bottom thereof. There is no description in Koshiishi that requires such a connection. It is well known that in order to establish a *prima facie* case of obviousness “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” In the present application, the references cited by the Examiner fail to do so. In fact, presuming, as the Examiner apparently does, that Fig. 1 accurately depicts the connection between the body 11 and the power supply 13, this connection takes place within the body 11 and clearly not “on the second main surface” of

the body 11. Thus, Koshiishi actually teaches away from the claimed position of the “inner electrode” in claim 1 of the present application.

In addition, as is noted above, and as is described at paragraph 0031 of Koshiishi, the dielectric layers 14a and 14b form the electrostatic chuck, and thus, neither of these layers correspond to the “insulating sprayed layer” of claim 1. Further, as is also noted above, since both of the layers 14a, 14b are sprayed directly onto the body 11 of Koshiishi, even if they were insulating sprayed layers, which they are clearly not, Koshiishi does not disclose any “bonding agent layer” that attaches the insulating sprayed layer to the temperature controlling section, as is also required by claim 1 of the present invention.

Harada also fails to disclose the patentable features of claim 1 described above.

Accordingly, it is respectfully submitted that claim 1, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Similarly, with regard to independent claim 8, Koshiishi fails to disclose a susceptor device including “an inner electrode which is disposed on the second main surface of the ceramic base body,” and “an insulating sprayed layer, formed by a sprayed ceramic, which covers the inner electrode, a connecting section of the inner electrode and the electricity supplying terminal.” Further, there is no disclosure in Koshiishi “a bonding agent layer” that attaches the insulating sprayed layer and the temperature controlling section.

With regard to the Examiner’s warning that should claim 1 be found allowable that claim 8 will be objected to as being a substantially duplicative thereof, Applicant must respectfully disagree. As was noted in Applicant’s previous response, claim 8 differs from claim 1 in that it requires the additional limitation that the first main surface of the ceramic base body is seamless. Thus, claim 8 is not believed to be duplicative of claim 1.

Accordingly, it is believed that claim 8 is also patentable over the cited art for at least the reasons described above.

New claim 9 depends on claim 1 and further specifies that the main surface is uniform. It is respectfully submitted that claim 9 is also patentable over the cited art since none of the references cited by the Examiner appear to show or suggest the features of claim 9.

In light of the remarks and amendments made herein, it is respectfully submitted that claims 1, 3 and 5-9 are patentable over the cited art for at least the reasons described above.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

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